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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
ANTHONY MCGEE, )  
a/k/a "Hassan," )  
 )  
Defendant. )

No. CR 12 0052 EMC

**[PROPOSED] ORDER AND  
STIPULATION FOR  
CONTINUANCE FROM MARCH 14,  
2012 TO APRIL 25, 2012 AND  
EXCLUDING TIME FROM THE  
SPEEDY TRIAL ACT  
CALCULATION (18 U.S.C. §  
3161(h)(8)(A))**

The above-captioned defendant is currently scheduled to appear for a status hearing on March 14, 2012. With the consent of the defendant, the parties hereby stipulate and move the Court to continue that hearing until April 25, 2012 at 2:30P.M. before the Honorable Edward M. Chen. The parties also stipulate and move for an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(b), from March 14, 2012 to April 25, 2012. The parties agree, and the Court finds and holds, as follows:

1. The defendant by and through his attorney, Erik Babcock, Esq., need additional time to investigate the case and effectively to prepare a defense to the charges.

2. The defendant agrees to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defense counsel

1 reasonable time necessary for effective preparation, taking into account the exercise of  
2 due diligence.

3 3. Given these circumstances, the Court hereby continues the status hearing  
4 currently set for March 14, 2012 to April 25, 2012. The Court hereby also finds that the  
5 ends of justice served by excluding the period from March 14, 2012 to April 25, 2012  
6 outweigh the best interest of the public and the defendant in a speedy trial. §  
7 3161(h)(8)(A).

8 3. Accordingly, and with the consent of the defendant, the Court orders that the  
9 currently scheduled hearing date of March 14, 2012 is vacated, that parties appear for a  
10 status conference on April 25, 2012, and that the period from March 14, 2012 to April 25,  
11 2012 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) &  
12 (B)(iv).

13  
14 IT IS SO STIPULATED:

15  
16 DATED: March 12, 2012

17 \_\_\_\_\_/s  
ERIK BABCOCK, ESQ.  
Attorney for Defendant

18  
19 DATED: March 12, 2012

20 \_\_\_\_\_/s  
ROBERT DAVID REES  
Assistant United States Attorney

21  
22 IT IS SO ORDERED.

23 March 13, 2012

24 DATED: \_\_\_\_\_

